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DEC 02 2005

OFFICE OF PETITIONS

In re Application of	:	
Walter Wesley Howe	:	
Application No. 09/692,804	:	DECISION ON PETITION
Filed: October 20, 2000	:	
Attorney Docket No. 98-004CIP1RCE1	:	

This is a decision on the petition to revive the above-identified application under 37 CFR 1.137(b), filed October 13, 2005.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.137(b)." This is **not** a final agency decision within the meaning of 5 USC 704.

The above-identified application became abandoned for failure to timely pay the issue fee in response to the Notice of Allowance mailed July 8, 2005. This Notice set a statutory period for reply of three months for issue fee transmittal. No extensions of time under 37 CFR 1.136(a) were available. No issue fee having been received, the above-identified application became abandoned on October 9, 2005. The mailing of this decision precedes the mailing of a Notice of Abandonment.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d).

The instant petition lacks item (2). Petitioner did not include the \$1,500 petition fee or include an authorization to charge it to his deposit account.

Further correspondence concerning this application should be addressed as follows:

By mail: Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

By FAX: (571) 273-8300
Attn: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at (571)272-3207.

Cliff Congo

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